

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
No. 7:16-CV-70-D

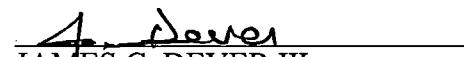
BRIAN WALKER)
)
 Plaintiff,)
)
 v.) ORDER GRANTING ATTORNEY'S
) FEES PURSUANT TO
 NANCY A. BERRYHILL,) 42 U.S.C § 406(b)
 Acting Commissioner of Social Security,)
)
 Defendant.)
)

On June 28, 2017, a Judgment and an Order were entered and remanding this case to the Commissioner for further proceedings under sentence four of 42 U.S.C. § 405(g). On April 17, 2018, Administrative Law Judge Susan Preston issued a Fully Favorable Decision granting Plaintiff his Social Security Disability benefits.

Pending before this Court is attorney Jonathan P. Miller's (Plaintiff's Counsel) Motion for Attorney's Fees Pursuant to 42 U.S.C. § 406(b). Plaintiff's Counsel requests an award of attorney fees in the amount of \$14,490.75. Plaintiff's Counsel has also acknowledged that the \$5,500.00 awarded under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412 should be returned to Plaintiff.

Plaintiff's Counsel's Motion is hereby GRANTED. Defendant is Ordered to pay \$14,490.75 to Plaintiff's Counsel, Jonathan P. Miller, pursuant to 42 U.S.C. § 406(b) for work performed in Federal Court. Plaintiff's Counsel is Ordered to return the \$5,500.00 EAJA fee to Plaintiff.

SO ORDERED. This 5 day of September 2018.


JAMES C. DEVER III
Chief United States District Judge